

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANDREW PETER RASMUSSEN III,

Plaintiff,

v.

JASON RICHARDS, *et al.*,

Defendants.

Case No. C07-5219RBL

ORDER ADOPTING  
THE REPORT AND  
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants Stewart and Gorman are **DISMISSED** from this action **WITH PREJUDICE**. The action appears time barred. In addition, plaintiff pleads no fact showing personal participation by these defendants and the defendants are entitled to qualified immunity from damages.
- (3) The Clerk is directed to send copies of this Order to plaintiff, defendants who have appeared, and to the Hon. J. Kelley Arnold.

DATED this 7<sup>th</sup> day of September, 2007.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE